United Nations A/C.3/69/SR.38

General Assembly
Sixty-ninth session

Official Records

Distr.: General
2 January 2015

Original: English

Third Committee

Summary record of the 38th meeting
Held at Headquarters, New York, on Monday, 3 November 2014, at 3 p.m.

Chair: Ms. Nilsson ..... (Sweden)
later: Mr. Davis ..... (Jamaica)

Contents

Agenda item 66: Elimination of racism, racial discrimination, xenophobia and related intolerance (*continued*)

(a) Elimination of racism, racial discrimination, xenophobia and related intolerance (*continued*)

(b) Comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action

Agenda item 67: Right of peoples to self-determination (*continued*)

This record is subject to correction.

Corrections should be sent as soon as possible, under the signature of a member of the delegation concerned, to the Chief of the Documents Control Unit (srcorrections@un.org), and incorporated in a copy of the record.

Corrected records will be reissued electronically on the Official Document System of the United Nations (http://documents.un.org/).

14-63829 (E)

Please recycle

In the absence of the Chair, Ms. Nilsson (Sweden), Vice-Chair, took the Chair.

The meeting was called to order at 3.05 p.m.

Agenda item 66: Elimination of racism, racial discrimination, xenophobia and related intolerance (*continued*)

(a) Elimination of racism, racial discrimination, xenophobia and related intolerance (*continued*) (A/69/18*, A/69/186, A/69/318, A/69/328, A/69/329, A/69/334, A/69/340 and A/69/354)

(b) Comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action (*continued*)

Agenda item 67: Right of peoples to self-determination (*continued*) (A/69/338 and A/69/342)

1. **Ms. Derderian** (United States of America) said that her Government was strongly committed to eliminating racism, racial discrimination and intolerance, both domestically and internationally. Domestically, the United States had implemented its obligations as a State party under the Convention on the Elimination of all Forms of Racial Discrimination through the operation of a robust framework of laws, programmes and enforcement at the federal, state, local, tribal and territorial levels of Government.

2. Recent racially charged incidents and the ensuing national dialogue had demonstrated the vital importance of the policy initiatives and continued commitment to addressing racism on the part of her Government. Her country believed that differences should be addressed in the open space of democracy, with respect for the rule of law; accounting for people of every race and every religion; and with an unyielding belief in the ability of individual men and women to improve their communities, circumstances and countries. Consequently, the United States had invested in concrete initiatives to promote equal opportunity, including the "My Brother's Keeper" programme to address persistent opportunity gaps faced by boys and young men of colour, and the establishment of a task force to review ways that the federal Government could better support such efforts, with increased involvement by State and local officials, the private sector, and the philanthropic community.

3. The United States had also undertaken considerable efforts to improve access to justice for persons belonging to racial, ethnic, and national minorities, including the Access to Justice Initiative, which had published the Legal Aid Interagency Roundtable Toolkit, an online resource that outlined ways in which civil legal aid could support federal efforts to promote access to health services, housing, education, employment, family stability and community well-being.

4. Internationally and bilaterally, her delegation supported anti-racism programmes around the world, such as the U.S.-Brazil Joint Action Plan to Eliminate Racial and Ethnic Discrimination and Promote Equality and the U.S.-Colombia Action Plan to Promote Racial and Ethnic Equality. It also looked forward to commemorating the International Decade for People of African Descent.

5. **Mr. Lukhyanysev** (Russian Federation) said that in order to vanquish racism, it was essential to have full international cooperation to protect human rights, as it was a truly global issue requiring mobilization, funding, resources and the coordination of efforts from all States without exception. In 2015, two significant dates would be celebrated: the seventieth anniversary of the end of the Second World War, when the world had been able to overcome its differences to destroy Nazism, an ideology based on hatred of others and racial superiority; and the fiftieth anniversary of the Convention on the Elimination of all Forms of Racism, which had been the world's response to the horrors and crimes of Nazism and fascism. The famous words "never again" must become the symbol of international actions to combat racism.

6. It was no secret that modern forms of racism were often inspired by the very evils the United Nations had been created to combat. Humanity had paid too high a price during the Second World War to calmly watch the same evil raise its head again. It was unacceptable for the world to stand by as city streets in the centre of Europe hosted neo-Nazi marches and commemorations that whitewashed collaborators into heroes of national freedom, as was the case with the current revisionist policy regarding Stepan Bandera. For the previous 10 years, the Russian Federation had annually proposed a draft resolution on combating the glorification of Nazism and unfortunately, the initiative had not lost its relevance and importance.

7. The continuing shameful and racist practice of arbitrarily revoking citizenship in Latvia and Estonia

could also not be ignored. As a result of that policy, stateless persons were deprived of the opportunity to exercise any of their rights. Latvia and Estonia painted a hypocritical and cynical picture at the European Union parliamentary elections, when their Governments used the numbers of stateless persons to gain additional quotas in parliament, while those persons could not participate in the elections themselves. In addition, encouragement against the use of the Russian language in Baltic States continued, blocking access to Russian-language education and media.

8. The fiftieth anniversary of the Convention on the Elimination of All Forms of Racism was an opportunity to assess achievements and strengthen the international control regime. It was very important to achieve the universal participation of States in the Convention. States must also withdraw their reservations to specific issues in the treaty. His delegation called on States that had not done so to acknowledge the authority of the Committee on the Elimination of Racial Discrimination, especially article 14 of the Convention, to review individual statements on possible violations of responsibilities.

9. As modern racism came in many forms, it was key to use the entire arsenal available to combat the shameful practice. It was unacceptable that certain States preferred to qualify the spread of racist ideas as freedom of expression and opinion, and the longer this approach continued, the further the international community would be from its common goal of a decisive victory over racism.

10. **Mr. Acosta Álvarez** (Cuba) said that twelve years after the adoption of the Durban Declaration and Programme of Action at the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, many parts of the world continued to experience that scourge, while some civilizations and religions were demonized by the centres of power and their communications media.

11. Cuba urged the international community to adopt new practices to eliminate contemporary forms of racism, racial discrimination, xenophobia and intolerance, as well as their root causes and to establish a new international order based on equity, solidarity, and social justice. In that regard, Cuba welcomed the efforts of the Working Group on People of African Descent and of the Committee on the Elimination of Racial Discrimination.

12. In Cuba, as in other Latin American and Caribbean countries, the repercussions of the transatlantic slave trade were evident. Cuban culture and nationality were nourished by their African heritage, and his delegation thanked their African ancestors for their wisdom, creativity and adaptability to harsh circumstances, the richness of their religious stories and beliefs, their energy and fundamentally rebellious spirit when faced with injustice, and their courage in the fight for independence and freedom. In response, hundreds of thousands of Cubans had contributed their blood and sweat to the emancipation of Africa, a continent to which the entire world was indebted. The African people were familiar with the generous and altruistic contribution of Cuban health personnel, as evidenced by the current fight against the Ebola epidemic.

13. With regard to the right to self-determination, Cuba fully supported the Working Group on the use of mercenaries to fight against such violations of international law. Cuba called on all Member States to cooperate, with a view to developing an international normative framework for the regulation, follow-up and monitoring of the activities of private military and security companies. Cuba was once again introducing a draft resolution on the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination (A/C.3/69/L.53) and invited other Member States to sponsor it.

14. The right to self-determination was a necessary precondition for the enjoyment of all human rights. As long as foreign domination and occupation persisted, it would be meaningless to speak about respecting such rights. Cuba supported the inalienable right of the Palestinian people to establish their own independent and sovereign State. The Palestinian people had the right to freely decide on their political and economic system, as well as to live in peace and freedom in their own State.

15. Despite the principles of international law, including those contained in the Charter of the United Nations, some States were taking unilateral and illegal actions against other countries. Cuba had suffered from the impact of an economic, financial and commercial embargo imposed for over 50 years and repeatedly

condemned by the international community. For more than a half-century, Cuba had been forced to endure hostile actions, including the encouragement of subversion, by subsequent United States administrations. Cuba would safeguard its right to self-determination, achieved by generations of Cubans who had not wavered in the defence of their nation's full independence and sovereignty.

16. **Ms. Smaila** (Nigeria) said that the Durban Declaration and Programme of Action remained the most comprehensive blueprint for addressing issues of racism, racial discrimination, xenophobia and related intolerance, and it was reflective of and consistent with the fundamental principles of the Universal Declaration of Human Rights, predicated on equality, dignity, freedom and the rights of all human beings. While some of the objectives of the Declaration and Programme of Action had been achieved, including raising awareness on the scourge of racism, racial discrimination, xenophobia and related intolerance, their overall implementation was undermined by developments unforeseen at its adoption, as well as an apparent lack of political will. As a number of follow-up mechanisms had been developed for the effective implementation of the Programme of Action, it was obvious that the persistent scourge of racism and racial discrimination could not be attributed to the absence of appropriate platforms or mechanisms, but rather to the lack of sufficient political tenacity on the part of Governments.

17. In spite of the concerted efforts of the international community, racism, racial discrimination, xenophobia and related intolerance remained major challenges and were taking on new forms in many parts of the world, such as racial profiling, stereotyping and hate crimes. As a Black nation and a direct victim of slavery, the worst form of racism, Nigeria was particularly aware of the negative effects of racism, racial discrimination, xenophobia and related intolerance.

18. Nigeria was determined to play a leading role in combating racism in all its forms and manifestations, and it was committed to the Durban Declaration and Programme of Action. Her delegation urged all others to establish the appropriate political and social conditions to foster national cohesion and tolerance, and the creation of dynamic networks for sensitizing all segments of society on the evils of racial discrimination.

19. It was alarming that the use of stereotypes and certain myths to malign the identity, integrity, culture and religious belief of peoples had elevated racism to a new level, and that some Governments denied basic rights to people living within their jurisdiction. That had led to the institutionalization of the structural, cultural and psychological aspects of racism, which contributed to a deep-seated mistrust between peoples and among countries. The implementation of legal protection and safeguards was necessary to create a pathway to fairness and equal treatment.

20. It was imperative to bridge the gaps in the existing international instruments for combating racism, racial discrimination, xenophobia and related intolerance, by providing support and technical assistance to States as appropriate and by fostering close cooperation between national human rights institutions, non-governmental organizations and Governments.

21. The International Decade for People of African Descent would present an opportunity to ensure the effective implementation of the provisions of the Convention on the Elimination of Racial Discrimination and the Durban Declaration and Programme of Action, with a view to realizing full and effective equality for people of African descent. Nigeria also endorsed the call by the Intergovernmental Working Group on People with African Descent to adopt a strong, comprehensive and action-oriented document to inform and guide the international decade. A permanent forum on people of African descent should be established and a United Nation declaration on the promotion of, and full respect for, the human rights of people of African descent should be drafted.

22. **Mr. Ish-Hurwitz** (Israel) said that racism targeted everyone, from Yazidi children in Syria to Muslim Sunnis in Iran, from Christian schoolgirls in Nigeria to Jewish communities in Europe; thus everyone must take a side against racism. Racism, anti-Semitism and homophobia were all illnesses born out of intolerance and the failure to see the shared values of human beings.

23. The United Nations had been founded on faith in fundamental human rights and in the dignity and worth of all humans. Emerging from the scorched battlefields of the Second World War and with the memory of the 6 million Jews murdered in the Holocaust, the promise had been made that history would never repeat itself.

24. As stipulated by the Convention, the promotion of ideas or theories of the superiority of one race or group, and of ideas or theories which attempted to justify or promote racial hatred and discrimination in any form must be condemned. Although it had been almost 50 years since the Convention had been adopted, anti-Semitism was at its highest levels since the 1930s, according to the World Zionist Organization. Europe and Latin America had seen increases of 436 per cent and 1,200 per cent in anti-Semitism, respectively. Behind such statistics were dozens of charred synagogues, hundreds of beatings, and thousands of frightened families. As a tide of racism, racial discrimination and xenophobia was sweeping the world, tolerance, coexistence and mutual respect must be taught in all venues: from classrooms to conference rooms, from social development to social media.

25. The founding father of Israel had written that the State would never discriminate between human beings, as all a person needed was to be a person. Over the past century, Israel had become a vibrant, pluralistic and inclusive society. Its Declaration of Independence guaranteed freedom and equality to all people, which could be seen in classrooms, factories, sports teams and political bodies, where Jews, Muslims and Christians existed side by side.

26. Israel would not stand quietly as racism threatened to poison the hearts and minds of another generation. It called on the international community to form a united front, working together to ensure that all people were treated with dignity and respect.

27. **Mr. Liang** Heng (China) said that the old psychological wounds inflicted by racism remained unhealed as new tides of discrimination surfaced, a trend recently demonstrated by the use of "freedom of speech" as an excuse to incite racial discrimination or defame religion. His country advocated dialogue and exchanges among civilizations and religions and opposed any action that offended the religious sensitivity of Muslims. It commended the work of the Working Group of Experts on People of African Descent and welcomed the adoption of the draft Programme of Action for the Decade for People of African Descent. China called on all parties to step up the implementation of the Durban Programme of Action and the outcome document of the Durban Review Conference, enforce the policy of zero tolerance for racism at the national and international levels and strive to create a world free of discrimination.

28. In accordance with the Charter of the United Nations and international law, the international community should protect and promote the sacred right of peoples to self-determination, which allowed them to combat foreign aggression and intervention and safeguard their national sovereignty. At the same time, that right must not be used as an excuse to split sovereign States or incite hatred among ethnic groups; attempts by individuals and organizations to openly advocate the split of sovereign States under the guise of the right to self-determination should be firmly condemned by the international community.

29. China supported the just cause of the Palestinian people in their struggle to establish an independent State and the admission of the State of Palestine to international organizations. It hoped that the international community would continue to work hard to achieve a timely, comprehensive, just and lasting peace in the Middle East.

30. **Mr. Rabi** (Morocco) said that the world was facing a resurgence in acts of racism, racial discrimination, and xenophobia. More specifically, incitement to discrimination, hostility and violence had become a source of tensions that fed into extremist ideologies. Faced with the growing proliferation of hate speech, negative stereotypes and religious, racial and nationalist hatred over the previous two decades, the international community must implement the necessary mechanisms to confront the scourge.

31. The Rabat Plan of Action on the prohibition of advocacy of national, racial or religious hatred adopted in 2012 had become a reference on the subject; the result of an innovative approach by the Office of the United Nations High Commissioner for Human Rights (OHCHR) and involving 45 experts from diverse cultural origins and legal traditions, had been designed at a moment when the world was seeing the proliferation of acts of xenophobia, extremism and hatred. Its unique, tripartite structure addressing legislation, the law and political policy had allowed the Plan of Action to provide a number of practical conclusions and recommendations. The effective implementation of the Plan by all relevant actors would help to confront the phenomenon affecting many countries. Morocco called for discussion regarding the

ways and means of ensuring the greater circulation of the Plan's conclusions and recommendations.

32. Although the international community was in agreement on the evolving nature of international law, especially with regard to incitement to hatred, a number of countries unfortunately tried to freeze the interpretation of self-determination to an outdated notion from the 1960s. In reality, international law adapted to the changing realities of the international community and the principle of self-determination was not static. Much like human rights, which had developed progressively, the principle of self-determination had evolved since the 1960s, both in terms of its legal dimension and its practice within the United Nations.

33. Self-determination had been enshrined in the Declaration on the Granting of Independence to Colonial Countries and Peoples in 1960. In order to address States' concerns and prevent an exclusive interpretation of the principle of self-determination, the Declaration was immediately followed by a subsequent resolution regarding its implementation, and which defined three options for self-determination: independence, free association with an independent State and integration with an independent State. That resolution was in turn complemented by the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations, which reiterated that self-determination could take different forms, including any political status freely determined by a people.

34. From a legal perspective, the implementation of self-determination was framed by the fundamental principle of territorial integrity as enshrined in the Charter and the aforementioned resolutions. Self-determination could not be construed as authorizing or encouraging any actions that would dismember or impair the territorial integrity or political unity of a sovereign and independent State. In practice, the implementation of self-determination had experienced major developments. Although the main function of the principle had been to dismantle the colonial empires in the 1960s, currently the principle of self-determination had been used to democratize, through autonomy, Nation States, in order to avoid balkanization and to guarantee peace and stability both regionally and internationally.

35. Following the proliferation of independence movements in the 1960s, the general international trend had supported autonomy, expressed through local democracy, economic participation, and the preservation and promotion of tribal, linguistic and cultural identities. In many situations, autonomy allowed for going beyond the status quo, in order to cultivate peace, trust and reconciliation. That concept of self-determination was simultaneously authentic, democratic, modern and future-oriented, and was largely supported by the international community.

36. Outside of autonomy, internal self-determination also existed, which was expressed through the rule of law and good governance, participation in local, regional and legislative elections, contributions to politics and the economy, the respect of human rights and the preservation of cultural rights and identities that were specific to populations. Consequently, it was essential to go beyond the exclusive perception of self-determination and outdated independence-focused ideologies, and look towards new forms of self-determination that would allow populations to fully enjoy their rights, development and well-being. His delegation regretted that the principle of self-determination continued to be the subject of contentious interpretations in violation of the letter and spirit of the relevant international instruments. The interpretation of self-determination could not be reduced to a single meaning.

37. **Ms. Watanabe Patriota** (Brazil) said that Brazil was a multiracial and multicultural society, home to the largest population of people of African descent, numbering over 100 million as of 2013, and expected to number 115 million within 30 years. However, more than three centuries of slavery and the slave trade had impacted that population, with effects still visible. The majority of people of African descent in Brazil still lived on the outskirts of cities, subsisted on lower incomes, were deprived of the same opportunities as the average Brazilian in terms of education and employment, and had children that were more vulnerable to violence.

38. To address such issues, over the previous decade Brazil had implemented affirmative actions, including quotas in universities and civil service, as well as social programmes and increased social protections to promote the human rights of vulnerable groups and build a more egalitarian society. The International Decade for People of African Descent would be

instrumental in raising awareness and combating prejudice, intolerance and racism. The country's robust programme of activities in that context included the establishment of a United Nations mechanism for people of African descent and paved the way for a draft declaration on the promotion and full respect of their human rights.

39. Nevertheless, for the process to move forward, the Fifth Committee must approve the required programme budget implications, overcoming the resistance of certain developed Member States in the Americas and Asia to set aside a relatively small amount of the regular budget for a cause no one should doubt. Brazil was appalled by such hesitation and hoped that the funding would be soon approved, thus demonstrating that the human rights agenda of any vulnerable group should not be reduced to a budgetary issue.

40. The World Cup held in Brazil in June 2014 had provided an important opportunity to promote the harmonious coexistence of diverse ethnic backgrounds and to call for an end to racial discrimination. Working with the United Nations, Brazil and the Federation International de Football Association (FIFA) had engaged in the "Say no to racism" campaign.

41. Affirmative action combined with national policies for eradicating poverty, such as conditional cash transfers, social safety nets, decent minimum wage legislation and Government procurement of foods and services from smallholder farmers had positively impacted vulnerable and marginalized groups. Over the past decade, Brazil had greatly reduced social and racial inequalities, lifting 40 million out of extreme poverty into the middle class. Brazilians of African descent had represented 38 per cent of the middle class in 2002, and in 2014 accounted for over 75 per cent.

42. Young Brazilians of African descent were particularly vulnerable, being historically deprived of access to education, adequate housing, infrastructure and services. Consequently, Brazil had introduced a programme to reduce and prevent all forms of violence against young Brazilians of African descent. In addition, the national system for the promotion of racial equality sought to coordinate strategies against racial discrimination and to codify evolving public policies into national legislation.

43. As women and men of African descent faced intersecting forms of discrimination associated with a combination of factors, such as their social status, colour, sexual orientation and gender identity, the compounded effects of discrimination within specific groups must be tackled. All forms of intolerance must be denounced, as diversity was an asset of which Brazil was proud — not a burden.

44. **Mr. Sylla** (Senegal) said that analysing a question as crucial as self-determination should remind the international community of its responsibility to the Palestinian people, whose desire for full sovereignty was consistently thwarted by the Occupying Power. Wounded by decades of occupation which had violated many human rights, including restrictions on access to land and water, the construction of a separation wall, and the expansion of settlements, the Palestinian people continued to endure unspeakable suffering which fostered the cycle of violence and repression in the region.

45. The construction of a separation wall in the Occupied Palestinian Territory was even more serious a violation, given that 2014 was the tenth anniversary of the International Court of Justice advisory opinion that had declared the wall a flagrant violation of international law. Likewise, the continued expansion of settlements in the West Bank, East Jerusalem and the occupied Syrian Golan, based on a policy of fait accompli which seriously undermined a two-State solution. As highlighted by the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967, Israel, due to its prolonged occupation, practices and policies, had deprived the Palestinian people of their right to self-determination.

46. The peace process continued to crumble, despite tireless efforts to restart negotiations under the mediation of the United States of America. The recent murderous conflict in Gaza, which had entailed loss of human life, destruction of infrastructure and social and humanitarian crises, was likely to constitute a serious obstacle to resuming peace talks. Despite the rather dark situation, his delegation wished to reiterate its commitment to the Palestinian people and the path to a two-State solution where Arabs and Jews lived side by side in peace and security, within safe and internationally recognized borders.

47. A number of vulnerable groups were targeted by racism, racial discrimination, xenophobia and intolerance, including migrants, people of African descent, indigenous peoples, asylum seekers, refugees, displaced persons and religious minorities. His delegation condemned the discriminatory policies towards migrants carried out by certain States who viewed foreigners as a threat to their national unity. It was the responsibility of host countries to fight against manifestations of racism and xenophobia, conducted with full impunity and often the tacit or explicit support of political deciders. Migration was a major pillar of development and it therefore remained necessary to strengthen cooperation between countries of origin, transit and destination in order to find a durable solution that preserved the dignity of migrants.

48. Likewise, the international community must promote the rights of people of African descent, achieving full respect for their culture, identity and history in accordance with the Durban Declaration and Programme of Action. Senegal welcomed the International Decade for People of African Descent and would support its activities.

49. **Mr. Alshamsi** (United Arab Emirates) said that the Convention on the Elimination of All Forms of Racial Discrimination was a comprehensive international instrument designed to combat racism and ensure that States upheld their shared responsibilities to protect human rights, in order to create a more just and peaceful world free from hatred, extremism and discrimination. The 2001 Durban Conference and the 2009 Review Conference had constituted important landmarks in strengthening the international political will to eradicate racial discrimination. At the Conference, States and civil society organizations had pledged to do away with all forms of racial discrimination and affirmed the importance of combating racist practices, hatred and violence.

50. The Constitution of the United Arab Emirates was based on respect for human rights and fundamental freedoms and the preservation of the dignity and safety of human beings without discrimination. The State had translated those values and principles into laws and legislation that stipulated respect for human rights and the guarantee of fundamental freedoms and it had acceded to the Convention on the Elimination of All Forms of Racial Discrimination in 1974.

51. The United Arab Emirates was keen to ensure the enjoyment by all individuals on its territory of their fundamental rights and freedoms in an environment characterized by tolerance, moderation and the eradication of all forms of extremism and racial discrimination. All persons were guaranteed freedom of religion as well as the freedom to establish culturally specific educational institutions in a secure and stable climate.

52. The United Arab Emirates affirmed its commitment to promoting the principles set forth in the Convention through its membership in the United Nations Alliance of Civilizations and the Human Rights Council. In addition, it was a major supporter of international development and relief efforts in emergency situations in all countries, without discrimination on the basis of religion or race.

53. His delegation was greatly alarmed by the discriminatory and extremist practices exemplified by the human rights violations perpetrated by terrorist groups in some countries in the region, on racial or religious grounds, which had caused the displacement of thousands of innocent civilians. The international community must cooperate to combat those groups, halt their inhumane practices and take legal measures to hold the perpetrators accountable.

54. The United Arab Emirates had established a constitutional law on the right to complaint and for all people in the country to have access to security and judicial bodies at any time on a non-discriminatory basis. It attached particular importance to spreading the values of moderation and tolerance through its educational institutions, taking legal measures to prevent the use of information technologies to incite discord, extremism or sectarianism. It had likewise acknowledged that respect for the rights of expatriate labourers was a moral and cultural duty, and the Government had adopted reforms aimed at protecting the rights of all labourers without discrimination.

55. The Charter of the United Nations, the Universal Declaration of Human Rights and other relevant international instruments affirmed the right of peoples to self-determination and to live in freedom, justice and dignity, achieving economic and social development as well as sovereignty over their natural resources without foreign interference or control. Nevertheless, the Palestinian people continued to be barred from exercising that right as the result of the

Israeli occupation of its territory, which was in clear violation of international humanitarian law and all international resolutions. Out of its commitment to support the Palestinian people, his Government had pledged $200 million towards the reconstruction of the Gaza Strip, after it had been subjected to destruction by the most recent Israeli aggression.

56. The United Arab Emirates condemned illegitimate Israeli expansionist policies and urged the international community and the Security Council in particular to take tangible measures to assist the Palestinian people to exercise its right to self-determination and establish an independent State of Palestine within 1967 borders, with East Jerusalem as its capital, based on the road map, the Arab Peace Initiative and all relevant international resolutions.

57. **Mr. Hannigan** (Iceland), underscoring the need to fight racism, racial discrimination, xenophobia and related intolerance at the global, regional and national levels, urged those Member States which had not yet done so to accede to the Convention on the Elimination of All Forms of Racial Discrimination. His delegation shared the concerns of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance regarding racist remarks at sporting events, which, in Europe, were primarily directed towards players of African descent. Such shameful acts should never be trivialized and efforts must be undertaken, per the Special Rapporteur's recommendation, to use the unique educational potential of sports to combat manifestations of racism, racial discrimination, xenophobia and related intolerance.

58. Iceland's Constitution and Penal Code safeguarded against discrimination on the basis of race and ethnicity. His country was particularly concerned at the rise in hate speech, including remarks directed against proponents of gender equality and the rights of lesbian, gay, bisexual and transgender persons, across a variety of media. Combating the spread of hate speech online was particularly challenging, given its anonymity and operation outside of national jurisdiction, which further contributed to a sense of impunity. Noting that such speech was never justified, he reminded the international community of its joint obligation to put an end to all forms of discrimination.

59. A long-standing advocate of the right to self-determination, Iceland supported the realization of the inalienable right of the Palestinian people to self-determination, including Palestine's full membership in the United Nations. Iceland also supported all efforts undertaken under the auspices of the Secretary-General to achieve a just, lasting and mutually acceptable political solution with regard to Western Sahara.

60. **Mr.** Diyar **Khan** (Pakistan) said that the exercise of the right to self-determination was firmly grounded in a set of internationally-accepted principles. While the expansion of that right over the last century had closed the dark chapter of colonization and enabled the emergence of new sovereign Member States, many non-self-governing territories and peoples living under foreign occupation still aspired to self-determination. In that context, the Independent Expert on the promotion of a democratic and equitable international order had highlighted the continued relevance of that right and the need for greater international efforts to ensure its realization.

61. To be genuine and indisputable, the right to self-determination must be exercised in an environment free from coercion or duress and its strength must be commensurate with the people's aspirations rather than subject to attrition over time. While the scourge of terrorism must be combated, it could not be used as a justification for denying the right to self-determination. In that regard, the international community should devote equal attention to State terrorism and the use of mercenaries for the suppression of people's right to self-determination.

62. It was regrettable that, decades after Security Council resolution 47 (1948) had promised a free and impartial plebiscite to determine the status of Jammu and Kashmir, the people of those regions remained deprived of their right to self-determination and continued to face widespread human rights violations. In his statement at the sixty-ninth session of the General Assembly, the Prime Minister of Pakistan had urged the international community to resolve the issue of Jammu and Kashmir on the basis of relevant Security Council resolutions and the aspirations of the Kashmiri people. He also expressed Pakistan's readiness to engage in serious and meaningful negotiations with India to find a peaceful solution to that issue.

63. Firmly convinced that racism negated equality, development and human dignity, Pakistan had consistently opposed all forms of racism and

xenophobia. The Durban Declaration and Programme of Action, reaffirmed in 2011, provided an effective and comprehensive platform to address racism, xenophobia and related discrimination.

64. Regrettably, racism continued to manifest itself in many forms. Rising trends of faith-based discrimination, stereotyping and incitement to violence through hate speech and acts of desecration undermined human rights and global peace. Member States must take effective legal and administrative measures to combat such acts. In that context, Pakistan welcomed the announcement of the International Decade for People of African Descent as a timely measure to address the consequences of the trans-Atlantic slave trade. Urgent steps must be taken to counter the dangerous trend of racist remarks during sports competitions. Pakistan supported the strengthening of interreligious and intercultural dialogue at all levels through the continued work of the United Nations Alliance of Civilizations and related mechanisms.

65. *Mr. Davis (Jamaica), Vice-Chair, took the Chair.*

66. **Ms. Mansouri** (Algeria) said that, despite progress made towards their eradication, racism, racial discrimination, xenophobia and related intolerance continued to be widespread. Stronger political will and urgent action, as well as the promotion of intercultural dialogue, tolerance and respect for diversity, were needed to reverse the worrisome upsurge in racist and xenophobic attitudes and violence that had developed in recent years. Underscoring the need for the international community to intensify its efforts to implement the Durban Declaration and Programme of Action, she welcomed recent progress made towards the implementation of paragraph 199 of that instrument and the publication by the Office of the High Commissioner for Human Rights of a practical guide for the development of national action plans against racial discrimination. Her delegation likewise urged all Member States to contribute to the effective implementation of the International Decade for People of African Descent. Algeria's Constitution, in addition to ensuring equal rights for foreigners and guaranteeing freedom of religion or belief, prohibited all forms of racism and racial discrimination. It also prohibited direct or indirect dissemination of racist messages, intolerance and incitement to violence.

67. The right to self-determination, a cardinal principle of Algerian foreign policy, was essential to the full enjoyment of all other rights. Her delegation rejected unilateral attempts to undermine the self-determination of peoples under foreign occupation based on narrow interpretations of that right. Algeria considered violation of the right to self-determination to be a violation of all other human rights and a form of discrimination and therefore welcomed the continuation of international efforts to implement the Third International Decade for the Eradication of Colonialism. She noted with regret that self-determination remained unrealized for many peoples in the non-self-governing territories, including the Sahrawi people, whose fate lay with the international community. She therefore urged the Office of the High Commissioner for Human Rights to continue to update the Committee on the application of that principle in all Non-Self-Governing Territories listed by the United Nations.

68. **Ms. Mkhwanazi** (South Africa) said that her country placed a high premium on the work of the United Nations towards eradicating all forms of racism. Racism, racial discrimination, xenophobia and related intolerance continued to impede the full realization of human rights, including the right to development. Those discriminatory attitudes particularly hindered the enjoyment of the human rights, including the civil and political rights, of people of African descent, the Roma and various minority communities. Women and girls belonging to certain communities likewise remained vulnerable to exploitation, trafficking, racial abuse and violence.

69. South Africa called upon Member States to combat the scourge of racism, including its contemporary and resurgent manifestations, by continuing to implement the commitments contained in the Durban Declaration and Programme of Action, particularly paragraph 199, and the outcome of the Durban Review Conference. The international community must likewise support the comprehensive follow-up to the 2001 World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance and ensure the full ratification of the International Convention on the Elimination of All Forms of Racial Discrimination, notably by withdrawing reservations to specific articles of that instrument. Her delegation welcomed the successful

implementation of paragraph 10 of General Assembly resolution 68/151.

70. **Mr. Mahmoud** (Egypt) emphasized the importance of Member States' cooperation in enabling the implementation of the mandate of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance. It was unfortunate that, despite progress made towards implementing relevant international human rights instruments, new forms of racism and related intolerance continued to manifest themselves throughout the world. The rising discrimination trends mentioned in the Special Rapporteur's report (A/69/340) were worrisome, and the proliferation of radical, racist and extremist movements contradicted the principles that formed the basis of democratic societies.

71. Racism in the context of sports, which encompassed both verbal remarks and the denial of equal access to sports, undermined the principles of equal opportunity and citizenship. Similarly alarming was the use of the threat of terrorism as a justification for discrimination against individuals and groups on ethnic or religious grounds. Serious review of security, migration, asylum and national identity protection measures were required to prevent discrimination in those contexts. A responsible code of conduct for civil society and the media, including online forums, must be developed to combat racism, xenophobia and incitement to hatred and violence, particularly on the basis of religion. International strategies and programmes based on enhanced dialogue, mutual understanding and awareness among stakeholders should likewise be implemented to monitor and respond to new racist campaigns. Migration must also be addressed in a comprehensive manner by, inter alia, promoting equal respect for migrants' rights in destination societies.

72. Despite progress made by the United Nations in promoting the right to self-determination, Israel's continued denial of Palestinians' right to an independent State and flagrant violations of their human rights represented a mission not yet accomplished. Ending the foreign occupation of Palestine and granting its full membership in the United Nations would undoubtedly contribute to ending those violations. To that end, his delegation urged the Secretary-General to include recommendations in his next report on ways in which the Human Rights Council could investigate and respond to Israel's human rights violations in the Occupied Palestinian Territories. Egypt likewise called upon the United Nations to uphold the right to self-determination by building the necessary confidence among concerned parties to achieve a just, comprehensive and lasting peace in the Middle East and to ensure the establishment of an independent Palestinian State based on the 1967 borders and with East Jerusalem as the capital.

73. **Mr. Al-Obaidi** (Iraq) said that Iraq had adopted the principles of equality and non-discrimination in the realization of economic, social and cultural rights, in line with policies and programmes based on prompt fulfilment of those rights without discrimination on the basis of gender, religion or race. To that end, article 14 of the 2005 Iraqi Constitution stipulated that Iraqis were equal before the law, without discrimination on the basis of gender, race, nationality, origin, colour, religion, sect, belief, opinion, or economic or social standing.

74. Following its accession to the Convention on the Elimination of All Forms of Racial Discrimination in 1970, Iraq had taken several steps towards preserving the rights of minorities, allocating eight seats for minorities in the Iraqi Council of Deputies. Iraqi citizenship and confiscated property had also been restored to the Feyli Kurds, who had suffered at the hands of the previous dictatorial regime.

75. An academic module on Christianity was taught in current curricula; based on level and grade, the Assyrian and Turkoman languages were also taught in schools with Christian majorities. A permit to broadcast in Kurdish, Turkoman and Assyrian on satellite channels and local television networks had been granted, including to a number of Christian channels. Religious endowments for Christians and other minority religions had been established. The General Directorate on Kurdish Education and Other Nationalities had been modernized to include three departments of study: Kurdish, Assyrian and Armenian. Numerous programmes overseen by the Government had been developed on the concepts of national fraternity, human rights, social equality and the rights of minorities, to promote dialogue, peaceful coexistence, and national reconciliation between the various components of Iraqi society.

76. The inhabitants of the region controlled by the terrorist organization ISIL since June 2014 — among them Muslims, Christians, Yazidi and others — were suffering from racial discrimination and religious extremism that rejected all other creeds. The barbaric violence of that criminal entity was unprecedented and had, in its acts, exceeded the savagery of all other terrorist organizations. Despite the existing challenges, Iraq stood ready to preserve the diversity that the country was known for and to protect the rights enshrined in its Constitution, without discrimination among citizens, and to combat the Takfirist entity ISIL, liberating the regions it had overtaken.

77. **Mr. Kassim** (Malaysia), recalling that the principle of self-determination was clearly enshrined in the Charter of the United Nations, said that his delegation wished to reiterate its unwavering support for the Palestinians' inalienable right to self-determination, self-rule and sovereignty. The reports of the Secretary-General and the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967 highlighted the need for action by the international community to protect the rights of the Palestinian people to self-determination. His Government had always believed in a two-State solution, based on the June 1967 borders and with East Jerusalem as the capital of Palestine. Malaysia condemned Israel's unlawful annexation, apartheid policies and demographic manipulations in East Jerusalem, which constituted systemic violations of Palestinians' human rights and an attempt to compel the people of Palestine to relinquish their right to self-determination. Recent expansions of illegal Israeli settlements in the West Bank were similarly aimed at driving the forced displacement of Palestinians.

78. While the international community had undertaken to end impunity for many human rights abuses throughout the world, it had failed to address Israel's persistent and flagrant violations of international human rights norms. Malaysia called upon all members of the international community to take resolute action to adopt a timeframe for ending the Israeli occupation and to bring about a peaceful resolution to the conflict. His delegation commended Palestine's accession to multiple international instruments, including the Geneva Conventions, as a sign of its determination to be a responsible member of the international community. His country was likewise encouraged by the recent recognition of the state of Palestine by the Swedish Government and the vote in favour of recognition by the British Parliament, steps that Malaysia hoped would encourage other countries to do the same and result in Palestinians' full attainment of their right to self-determination. The only way forward was to ensure that Palestinians were afforded their basic rights as human beings, including their right to an independent State.

79. **Ms. Al-Malki** (Qatar) said that Qatar was alarmed by the rise in acts of racist violence and extremism as well as hate speech. Her delegation reiterated its commitment to the full and effective implementation of the Durban Declaration and Programme of Action and stressed the need to universalize the values of diversity, respect and tolerance, and to criminalize activities that promoted and incited racial discrimination. It was necessary to build national capacities and ensure the participation of all groups in society, including Governments, civil society organizations, national human rights institutions and the media, to work towards the elimination of racial discrimination and the promotion of equality and of a culture of peace and tolerance.

80. Education could help to combat the spread of extremist thought and all forms of racism, by establishing a culture of tolerance. The role of the youth in promoting a culture of peace, increasing awareness of shared values and eliminating extremism and incitement to hatred on the basis of religion or belief was indispensable.

81. Qatar was making intensive and continued efforts to protect and promote the rights guaranteed in the International Convention on the Elimination of All Forms of Racial Discrimination, to which it was a party, and to enshrine the principles of equality and non-discrimination. Qatar was also involved in the United Nations Alliance of Civilizations Initiative, which called for an end to violence and the building of a humane society based on the values of justice, equality and respect for human rights. Out of its genuine desire to lay down the foundations for global peace and promote and respect human rights without discrimination on any grounds, including religion or belief, Qatar had established the Doha International Centre for Interfaith Dialogue, which strove to spread a culture of dialogue, acceptance and peaceful coexistence between followers of different religions. Qatar had also hosted the annual international Doha Conference for Interfaith Dialogue, which was

attended by experts and representatives of different religions from all over the world.

82. Her delegation affirmed the importance of the right of all peoples to self-determination, insofar as respect for that right was a fundamental condition for the protection and promotion of human rights, international peace and mutual understanding. In that regard, Qatar stressed the importance of Human Rights Council resolution 25/27 on the right of the Palestinian people to self-determination, including the right to live in freedom, justice, dignity and sovereignty over their natural resources, which they should be free to use to the benefit of their national development.

83. Qatar reiterated its commitment to continuing to work to advance a culture of peace, tolerance and respect between individuals and societies, with a view to achieving the common goals of promoting harmony and eliminating violence, extremism, racism, racial discrimination and xenophobia.

84. **Mr. Sachdev** (Thailand) said that Thailand's pluralistic society, evidenced by its economic openness and welcoming of millions of permanent and temporary visitors each year, was at the source of its vibrant economic, social and cultural life. A multi-ethnic country, Thailand was committed to implementing its obligations under the Convention on the Elimination of All Forms of Racial Discrimination, and, after submitting three periodic reports, was considering withdrawing its reservation to article 4 of that instrument.

85. Thailand's Government had taken a number of priority measures to ensure the legal status of all residents. The establishment of 88 service centres throughout the country to facilitate the legal registration of migrant workers had led to the granting of temporary work permits to over 1 million of the country's approximately 3 million migrant workers and had improved their access to social services. In view of migrants' vulnerability to exploitation and trafficking in persons, the Human Trafficking Prevention and Suppression Act enabled non-Thai victims of trafficking to seek temporary refuge and work in the country and guaranteed their access to psychosocial support services regardless of immigration status. To prevent statelessness and in line with the country's commitments under the Convention on the Rights of the Child, Thailand's Civil Registration Act enabled all children born in Thailand to receive birth certificates. Birth registration services were provided in remote areas, including in shelters for displaced persons, and late registration was available at a nominal fee.

86. In line with its commitment to interfaith and intercultural dialogue, Thailand's Government had established a Southern Border Provinces Administrative Centre aimed at improving socioeconomic development in the primarily Muslim South and, in conjunction with the United Nations Development Programme, had launched an academy aimed at equipping Muslim women with the skills necessary to assume leadership roles in their communities. His country believed that civil society and community-based organizations had a vital role to play in protecting the rights and interests of communities and ethnic groups. Thailand was determined to promote human rights education and awareness to guarantee equality and improve the lives of all people and groups.

87. **Mr. Lasso Mendoza** (Ecuador) said that, in an effort to change the old racist and discriminatory mindsets that were a legacy of colonial times, his country was pursuing a robust social strategy aimed at eradicating poverty and social exclusion through unprecedented investments in social services, primarily for underprivileged groups. In that context, it had launched a plan aimed at eliminating systematic racial discrimination and social exclusion and promoting a diverse, intercultural and inclusive citizenship, in accordance with the Durban Declaration and Programme of Action and the Convention on the Elimination of All Forms of Racial Discrimination. Ecuador's groundbreaking Constitution guaranteed the enjoyment of a broad range of collective rights by peoples and communities, including the right to be free of and seek reparations against racism, xenophobia and related intolerance. The country sought to ensure the equal realization of those rights for all, notably through the adoption of affirmative action measures. In that context, an open competition had been launched that resulted in the entry of 27 young Afro-Ecuadorians into diplomatic careers. Hate speech and discrimination had been criminalized and were the target of heavy sanctions. Equal access to justice and mechanisms for referring complaints of discrimination and related intolerance had been improved, as had the dissemination of international human rights instruments, notably through wider publication of legal texts in indigenous languages. Ecuador had

strengthened bilingual and intercultural education, based on the conviction that education rooted in cultural diversity was essential for combating discrimination. It promoted and encouraged the United Nations to contribute to greater representation of ethnic groups in national censuses to enable the development of more effectively targeted policies. Cognizant of the many challenges remaining, Ecuador would continue working for a world free of all forms of exclusion, discrimination and racism. To that end, the International Decade for People of African Descent represented an opportunity to strengthen national, regional and international normative frameworks in line with the Durban Declaration and Programme of Action and a new phase for Ecuador in its efforts to promote the rights of people of African descent.

88. The Government of Ecuador reiterated its solidarity with the Palestinian people and urged the United Nations to support the swift realization of their right to self-determination.

89. **Ms. Sabja** (Plurinational State of Bolivia) said that her Government had taken a number of steps to combat discriminatory practices, including the implementation of State policies, adoption of legislation, establishment of relevant committees, and the ratification of the Durban Declaration and Programme of Action and the Outcome Document of the Durban Review Conference.

90. Bolivia also had 78 relevant accredited public institutions, civil society organizations, indigenous agencies, cultural entities and Afro-Bolivian groups. There was an institutional framework to combat racism and discrimination in eight administrative departments, the main responsibility of which was to implement legislation through the monitoring and follow-up of complaints, prevent racist or discriminatory acts and to formulate relevant public policies. It also ensured people could register specific cases via a web portal.

91. On 24 May, the country celebrated the Day against Racism and Discrimination, during which all public and private entities endeavoured to raise awareness against racism and all forms of discrimination. Over the past six years, the Vice-Ministry of Decolonization had held a Plurinational Day against Racism and All Forms of Discrimination at the national level. Furthermore, 23 September had been declared the National Day of Afro-Bolivian Peoples, while 17 May was the Day to Combat Homophobia. There were various mechanisms and procedures to prevent and penalize discrimination based on sexual orientation.

92. Realization of the right to self-determination was essential to the exercise of all other human rights. The Palestinian people, in line with the Charter of the United Nations, had the right to self-determination. Her delegation urged the international community to cooperate in order to reach a just, peaceful and lasting solution for a prosperous future for the Palestinian people as recognized in the 1975 General Assembly resolution. Bolivia supported a permanent resolution for the Palestinian people. The occupation, which had persisted since 1967, should end. Furthermore the State of Palestine should be recognized with the pre-1967 borders and with East Jerusalem as its capital. Israeli settlements on the Palestinian territory constituted a violation of human rights, a denial of the right to self-determination and systemic discrimination. Her Government called for an immediate and unconditional end to those settlements.

93. **Mr. Gamareldeen** (Sudan) said that his Government had ratified the Convention on the Elimination of All Forms of Racial Discrimination and aligned national legislation with the Convention, guaranteeing the constitutional protection of all human rights throughout the country, without discrimination of any kind. Tolerance and acceptance were essential for the Sudanese people. His Government had signed an all-encompassing peace agreement with the Sudan People's Liberation Movement in 2005, and had accepted the referendum that led to the peaceful secession of South Sudan. Sudan had also been the first to recognize the new State.

94. He had been surprised to hear over the past week criticism directed at the situation of human rights in his country by the European Union, in particular as no State was without challenges in that area. The European Union should work to improve cooperation between the High Commissioner for Human Rights and the Human Rights Council and between the High Commissioner and Member States if it wished to support efforts to strengthen the promotion of human rights.

95. His Government called for Palestinians to be able to establish an independent State with East Jerusalem as its capital, the adoption of a comprehensive approach to all human rights issues, taking into

account debt forgiveness of developing countries and the lifting of unilateral sanctions imposed on certain States.

96. **Mr. Ghaebi** (Islamic Republic of Iran) said that his Government called for a world against violence and violent extremism, which could not be achieved without an accurate understanding of the root causes of such violence. The spread of extremism, inadequate understanding of it and inappropriate approaches to resolve it had made it more difficult to confront extremist movements and their various manifestations.

97. To combat the root issues of racism, terrorism and extremism, it was necessary to spread justice and development and to prevent the distortion of divine teachings. It was deplorable that certain extremists should claim to act in the name of Islam; but the repetition of such false claims by Western media contributed to the rise of Islamophobia. According to the seventh annual report of the Islamophobia Observatory of the Organisation of Islamic Cooperation, manifestations of that phenomenon had intensified around the world for two reasons: the Western-media influenced trend of propagating anti-Islamic discourse, and the brutality of extremist groups acting under the guise of Islamic values.

98. His Government sought to weave the linguistic and ethnic material present in the Islamic Republic of Iran into the fabric of a stable and peaceful society. The extensive participation of various ethnic groups and religious minorities had significantly influenced the result of his country's last presidential election. To fulfil his pledges to the nation, the President had appointed a Senior Special Assistant for ethnic and religious minority affairs, and in June 2013, he had stated his intention to fully implement Article 15 of the Constitution on the teaching of the mother tongue of Iranian ethnic communities at schools and universities.

99. The Islamic Republic of Iran strongly believed that the phenomenon of extremism was rooted in the wrongful policies of the past, and was saddened by its spread. The countries responsible for the outrage should change course before it was too late.

100. **Mr. Joshi** (India) said that no one should ignore the issues of racism, racial discrimination, xenophobia, related intolerance, and their modern manifestations, all of which lay at the root of many conflicts. Effective implementation of the Durban Declaration and Programme of Action and the Outcome Document of the Durban Review Conference were crucial to fostering social harmony, and States should take action to promulgate stringent national laws.

101. Visible political will was needed to cultivate the attitude and raise the awareness essential to combat racism, racial discrimination, xenophobia and related intolerance. Focusing on education, effective legislation and capacity building through training could play an important role in implementing positive measures, strategies or actions to combat all forms and manifestations of racism.

102. With regard to the report of the Special Rapporteur on mercenaries, India supported the understanding that armed private security services for United Nations personnel deployed in dangerous environments should be used as a last resort. There was also a need for increased transparency, consistent decision-making and legal vetting of recruitment process of private military and security companies. The negative impact of engaging both unarmed and armed security services from private security agencies also merited careful attention.

103. India was a multi-religious, multi-ethnic and multilingual society fully committed to the goal of eliminating any kind of discrimination. The Constitution enshrined the principles of equality and prohibited discrimination based on race, birthplace, religion, caste, creed or sex. Those principles were further strengthened by a comprehensive legal framework with an independent and impartial judiciary, secular and pluralistic policy, a vibrant civil society and free media.

104. The right to self-determination was a fundamental right for people of non-self-governing territories and trust colonies, which would allow people to freely choose and establish their governance structures. India had played a leading role in the historic struggle for decolonization and was at the forefront of the movement to secure the right of peoples to self-determination to enable them to determine their own political status and purse their economic, social and cultural development.

105. The issue of Palestine remained the unfinished task in the realization of the right of peoples to self-determination, and its resolution was a prerequisite for building a sustainable and lasting peace in the Middle East. India had maintained unwavering support and solidarity for the people of Palestine to attain their

inalienable rights, including the right to self-determination. It was imperative that there was an early negotiated resolution resulting in a sovereign, independent, viable and united State of Palestine with East Jerusalem as its capital, living with secure and recognized borders, side by side and at peace with Israel, as endorsed in the Arab Peace Initiative, the Quartet road map and relevant United Nations Security Council Resolutions.

106. It was unacceptable that attempts were continuously made at the United Nations and elsewhere to reinvent some of the basic principles of the Charter, such as self-determination, and to apply them selectively for narrow or domestic political ends. The right to self-determination should always be seen in a historical perspective. In addition, the international community had consistently affirmed that the right to self-determination did not extend to component parts or groups within independent sovereign States. In that context, it should be pointed out that the unsolicited and unwarranted comments made by the representative of Pakistan with regard to the Indian States of Jammu and Kashmir, which was an integral part of the Union of India, were factually incorrect and bore no relationship to reality.

107. The people of Jammu and Kashmir had exercised their right to self-determination at the time of India's independence and had chosen and reaffirmed their destiny repeatedly through well-established democratic processes. Free, fair and open elections were regularly held there at all levels. Therefore, his Government rejected in their entirety the untenable comments of the representative of Pakistan.

108. The right to self-determination could not be used to encourage secession and undermine States. Extreme nationalism fuelled by the legitimization of ethnic or religious segregations on the ground should be carefully monitored. Collective and coordinated action at the international, national and local levels was essential and should be pursued vigorously to achieve equality, tolerance and peace.

109. **Ms. Mammadova** (Azerbaijan) said that reporting under the Convention on the Elimination of All Forms of Racial Discrimination was important not only for monitoring and strengthening enforcement but also for identifying best practices and discovering early warning signs of discrimination, xenophobia and related intolerance. Early warning was critical for stepping up prevention efforts and should be fully explored.

110. Azerbaijan was a multi-ethnic and multi-religious country where national policy was carried out in the spirit of tolerance and harmonious coexistence of diverse ethnic and religious groups. The protection of equality and non-discrimination were enshrined in the national legislation, and Article 25 of the Constitution guaranteed equality of rights and liberties for all without discrimination. A number of normative acts prohibited discrimination-based restriction of human rights. For centuries, various minority communities had lived side by side peacefully with the Azerbaijani people. Her country had preserved its multicultural and multi-ethnic heritage, and xenophobia, racism, religious intolerance and extremism were non-existent in Azerbaijan and alien to her culture.

111. Her Government welcomed the contribution of ethnic groups, which included Greek and Russian communities, and had adopted the National Programme for Action to Raise Effectiveness of the Protection of Human Rights and Freedoms in the Republic of Azerbaijan, which provided for activities to preserve and develop the cultural heritage of ethnic minorities, prevent crime that endangered human rights and freedoms, and promote intercultural dialogue. With a view to promoting intercultural and interfaith dialogue, Azerbaijan would also host the seventh Global Forum of the United Nations Alliance of Civilizations in 2016.

112. The Constitution guaranteed that everyone living in the country had the right to appeal to the Ombudsmen, who continued to raise awareness on the promotion of human rights and freedoms. Azerbaijan was a secular country, where no religion enjoyed privileged status and the practices of the majority religion were not imposed on other religions. More than 500 religious communities, including non-Islamic ones, had registered in the country. The promotion and support for religious tolerance, mutual understanding among persons having different religious views, improvement of intercultural dialogue and interreligious collaboration were an indispensable element of the Government's efforts to foster pluralism, tolerance and peace.

113. Her Government was proud that it was seen as a model for tolerance among religious groups that could be applied to other countries around the world.

Azerbaijan was ready to share its experience as a contribution to peace, understanding and harmony.

Statements made in exercise of the right of reply

114. **Ms. Kesler** (Estonia) said that all people living in Estonia were documented and enjoyed fundamental freedoms and basic rights. Those with undetermined citizenship held resident permits and travel documentation. They were also able to travel without a visa to both the European Union and Russian Federation, thus enjoying greater opportunity than holders of either Estonian or European Union passports. They enjoyed the right to equal treatment, had access to all social services and were able to vote in local elections.

115. Estonia firmly believed that Governments should support those striving for citizenship. Her Government encouraged those with undetermined citizenship to apply for Estonian nationality. The nationalization process was simple, transparent and accessible and contained a special facilitated procedure for minors.

116. Basic education was compulsory for all Estonian residents, and the curriculum for that level could be taught in any language, including Russian. Allegations of a Russian language media shutdown were ungrounded and unjustified, and it should be stressed that media in Estonia, created by Freedom House, was free.

117. **Ms. Freimane-Deksne** (Latvia) in response to the remarks made by the representative of the Russian Federation during the general discussion under agenda item 66, said that Latvia strongly condemned and disassociated itself from any totalitarian ideology and any kind of extremism and radicalism, including neo-Nazism, anti-Semitism and other forms of racism, xenophobia and related intolerance. Latvia strengthened and promoted the identities of all persons belonging to national minorities living in its territory, and the acquisition of Latvian citizenship. More than 99 per cent of children were born as Latvian citizens and 84 per cent of its residents were citizens of Latvia. State-financed education was provided in seven national minority languages, and there were over 100 minority schools in the country, including a Ukrainian school to serve the 60,000 Ukrainians living in the territory. That was one Ukrainian school more than could be found in the Russian Federation, which was home to over 2 million Ukrainians. That was all the more important given that six Ukrainian schools were closed in a matter of months following the annexation of Crimea.

118. The Russian Federation should engage in self-reflection. The international community was greatly concerned about the serious violations of human rights of Tatars and Ukrainians in illegally-occupied Crimea, and the allegations made against her Government were an attempt to divert attention from its sad human rights situation and to suppress criticism from the international community concerning its blatant contravention of the United Nations Charter. Alleged concerns about the rights of national minority groups and false allegations of Nazi sympathies were not legitimate human rights concerns, but were used randomly against countries that disagreed with the policy, action or geopolitical aspirations of the Russian Federation.

119. Annexing part of a sovereign State under the guise of protecting persons belonging to the Russian minority was reminiscent of the Nazi regime, where unification of one ethnic group and the return of its historical territories were used at the pretext for annexing neighbouring States. The willing implementers of the policy in Ukraine were, unsurprisingly, the same neo-Nazis and xenophobes that marched annually in Russia's largest cities, the same that chased and killed immigrants of different ethnic or racial origins. The United Nations was built on the ashes of World War II to prevent such developments. If the Russian Federation called on States to preserve that international order, it should lead by example.

120. There was also a genuine lack of effort on the part of the Russian Federation to fight racism in the country. International human rights monitoring mechanism and non-governmental organizations had consistently expressed concerns about the increase of racism and xenophobia in the country. Non-governmental organizations recognized the existence of 53 neo-Nazi organizations present in the territory that, annually, gathered in Russian cities, displayed Nazi symbols and greetings, and other racist slogans. Another worrying trend was the constantly high rate of racially motivated violence present in Russia, where in 2013 20 people were killed and 173 injured as a result of racist and neo-Nazi violence. The victims of racially motivated violence in the country were people of different racial or ethnic origin, in

particular Africans, Chinese, Jews, Roma and those of non-Slavic appearance. Unfortunately, most of those events were not followed up by effective investigations and the perpetrators enjoyed impunity, which could have a very dangerous impact on Russian Federation, the whole region and the international community. The events in Ukraine and mounting evidence that members of Russian neo-Nazi organizations participated in the escalation of violence in the east of Ukraine were timely wake-up calls. Latvia called on the Government of the Russian Federation to combat all manifestation of intolerance, racism and xenophobia.

121. **Mr. Barkan** (Israel) said that Israel regretted the accusations made by the representative of Senegal and other countries, which revealed a skewed view of reality. It was time to tell the truth about the separation fence. It should be noted that it was a fence and not a wall, as some would have the international community believe. The construction of the fence began in 2002 as a result of the 2001 Palestinian authority-supported terrorist attacks perpetuated against Israel, in which, inter alia, restaurants, hotels and buses were blown up, resulting in the death of 1,000 civilians. Were those who objected to the fence in favour of a return to such acts of terror against Israeli citizens? By supporting the situation that had existed before construction of the fence, its detractors were essentially supporting terrorism.

122. The description of the relevant decision made by the International Court about the fence was also distorted. The Court had never criticized either the construction of the fence or Israel's right to build the fence; it had argued other points.

123. With regard to the self-determination of Palestinians, it should be reiterated that such would only come about through the negotiation process, which the Palestinians had halted and expressed no interest to return to. No statement made in the Committee could help realize the wishes of the Palestinians. Continued cooperation between the Palestinian authority of Hamas, which had initiated the 50-day struggle against Israeli citizens consisting in the shooting of rockets from Gaza, would not bring peace. Cooperation with Hamas should be discontinued as it only desired the destruction of the State of Israel.

124. The international community should bear in mind the explosive nature of the current situation in the Middle East. Cruel forms of Islamic extremism had led to hundreds of thousands of casualties while the Committee remained fixed on the non-central subject of the Palestinians. It was important for Member States to move beyond discourse and work to stop the ethnically and religiously motivated bloodshed happening across the Middle East.

125. **Mr. Rabi** (Morocco) said that it was necessary to clarify a number of points in response to the remarks made by the two delegations that had evoked the subject of the Moroccan Sahara. The subject was handled by the Security Council; as such, his delegation rejected all attempts to introduce the matter into the discussions of the Third Committee. The Security Council had clearly defined parameters to resolve the dispute, in particular via negotiations to reach a political solution that was fair, sustainable and mutually acceptable, and it was useless to try to deviate from them.

126. Self-determination could not be confined to one interpretation. Both international law and United Nations practice with respect to self-determination had evolved throughout the years, while the interpretation of self-determination had expanded to include new forms, including the freely decided political status in line with the United Nations documents he had listed in his statement earlier that afternoon.

127. The Moroccan proposition for autonomy in the Sahara region was fully in line with the parameters defined by the Security Council. It provided a basis for negotiation to reach a political solution that was fair, sustainable and mutually acceptable. It also provided for a referendum to gage the approval of the people, and for those reasons had been deemed credible and serious by both the Security Council and the international community.

128. Democratic legitimacy was at the heart of the process espoused by his Government with regard to the autonomy of the Sahara region, enabling the local population to democratically manage their local affairs within the context of the territorial integrity of Morocco.

129. **Mr.** Diyar **Khan** (Pakistan), in response to the remarks made by the representative of India under agenda item 67, asked how India could consider Jammu and Kashmir an integral part of its territory when the United Nations Security Council had adopted several resolutions that declared them a disputed territory between Pakistan and India and called for a

settlement of that dispute through a free and impartial plebiscite under the auspices of the United Nations.

130. The Indian leadership had made numerous claims of a similar nature at international forums, including the United Nations. With regard to the claim that Kashmiris had exercised their right to self-determination through elections, it was well-known that all elections held in Indian-occupied Kashmir had been rejected by the Security Council, the people of Kashmir, and Kashmiri leadership. Moreover, the Security Council Resolutions had clarified that no electoral exercise conducted by the Indian authorities in Jammu and Kashmir could substitute a free and impartial plebiscite under the auspices of the United Nations. The legal and factual background of Jammu and Kashmir was clear and well-documented and no efforts to confuse the international community in that regard would succeed.

131. **Mr. Joshi** (India) said that it was regrettable that the representative of Pakistan had once again taken the floor. The elections held in Jammu and Kashmir had been conducted under the scrutiny of the international media and public opinion, and none had faulted the electoral process. He rejected all the untenable and unsolicited remarks made by the representative of Pakistan.

132. **Ms. Gueye** (Senegal) emphasized that the statement made earlier that afternoon by her delegation was based on the report of the Special Rapporteur on the Occupied Palestinian Territories as well as that of the Secretary-General.

133. **Mr.** Diyar **Khar** (Pakistan) reiterated that elections held by occupying Powers within the context of a foreign occupation or alien domination could not be an alternative to a free and impartial plebiscite conducted under the auspices of the United Nations, as promised to the people of Jammu and Kashmir by the Security Council.

134. **Mr. Joshi** (India) said that the remarks made by the representative of Pakistan were out of context and constituted a clear interference in the internal affairs of India; as such, he rejected them in their entirety.

The meeting rose at 5.50 p.m.